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Examiner: John Juba, Jr.
Group Art Unit: 2872

Remarks/Arguments

Claims 1, 3-9, 15, 17-26, and 29-55 are pending in the application. Claims 41-43 and 50-55 stand allowed, and claims 21, 26, 36-40 and 47 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Again, Applicant appreciates the Examiner's notification of allowable subject matter.

Claims 1, 3-9, 15, 17-20, 22-25, 29-35, 44-46 and 48-49 stand rejected. Claims 1, 17, 20, 22, 24, 30, 33, 35, 37, 38, 46, and 48 have been amended to more particularly and distinctly claim the subject matter that Applicant believe to be their invention and not for the purpose of avoiding prior art. Claims 15, 18, 19, 21, 26, 34, 36, 44, 45, and 47 have been cancelled without prejudice. Claims 56-59 have been added. Claim 56 is essentially claims 15, 18, 19, and 21 rewritten as a single independent claim. Claim 57 is essentially claims 29, 34, and 36 rewritten as a single independent claim. Claim 58 is essentially claims 44, 45, and 47 rewritten as a single independent claim. Claim 59 is essentially claims 15, 24, and 26 rewritten as a single independent claim. No new matter has been added by the foregoing amendment, full support therefor being shown in the drawings and specification as filed. All claims remaining in the application are believed to now be in condition for allowance.

Further examination and reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Objections – 37 C.F.R. § 1.75(c)

Claim 46 stands objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim because, as the Examiner notes, claim 46 depends from itself. This objection is respectfully traversed. Applicant has made a correcting amendment to the dependency of claim 46, and this objection should be withdrawn.

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Claim Rejections - 35 U.S.C. §102(b)

Claims 15, 17-20, 22, 23, 44-46 and 48-49 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,318,220 to Diaz (Diaz '220). This rejection is respectfully traversed.

Claims 15, 18, 19, and 21 have been canceled without prejudice. Claim 56 has been added, which is essentially claims 15, 18, 19, and 21 rewritten as a single independent claim, and which the Examiner has indicated is allowable as written. Claims 17, 20, and 22 have been rewritten to depend from claim 56. Thus, the rejection of claims 15, 17-20, 22, and 23 is moot.

Claims 44, 45, and 47 have been canceled without prejudice. Claim 58 has been added, which is essentially claims 44, 45, and 47 rewritten as a single independent claim, and which the Examiner has indicated is allowable as written. Claims 46 and 48 have been rewritten to depend from claim 58. Thus, the rejection of claims 44-46 and 48-49 is moot.

Claims 15 and 17 stand rejected under 35 U.S.C. 102(b) as allegedly anticipated by French Patent No. 2,666,717 to Castellano. The rejection is respectfully traversed.

As discussed above, claim 15 has been canceled without prejudice, and claim 17 now depends from allowable claim 56. Thus, the rejection of claims 15 and 17 is moot.

Applicant respectfully requests the withdrawal of the rejection of claims 15, 17-20, 22, 23, 44-46 and 48-49, and notification of the allowability of claims 15, 17-20, 22, 23, 44-46 and 48-49.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1, 3-9, and 29-33 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Castellano '717 in view of British Patent No. 2,250,406 to Aumercier. The rejection is respectfully traversed.

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Claim 1 has been amended to clarify the presence of a heater element perimeter and a mounting plate perimeter, and the retention of the heater element perimeter adjacent the mounting plate perimeter when the heater element is stretched across the planar surface of the mounting plate. This is not shown in Castellano '717 or Aumercier '406, singly or in combination. Thus, claim 1 is not unpatentable over Castellano '717 in view of Aumercier '406.

For the same reasons, claims 3-9 are not unpatentable over Castellano '717 in view of Aumercier '406.

Claim 29 has been canceled without prejudice. Claims 30-33 now depend from allowable claim 57. Thus, claims 29-33 are not unpatentable over Castellano '717 in view of Aumercier '406.

Applicant respectfully requests the withdrawal of the rejection of claims 1, 3-9, and 29 - 33, and notification of the allowability of claims 1, 3-9, and 29-33.

Claims 24, 25, 34, and 35 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Castellano '717 and Aumercier '406, and further in view of U.S. Patent No. 5,099,104 to Holzer et al. The rejection is respectfully traversed.

Claims 24 and 25 now depend from allowable claim 56, claim 34 has been canceled without prejudice, and claim 35 now depends from allowable claim 57. Thus, claims 24, 25, 34, and 35 are not unpatentable over Castellano '717 and Aumercier '406, in view of Holzer et al. '104.

Applicant respectfully request the withdrawal of the rejection of claims 24, 25, 34, and 35, and notification of the allowability of claims 24, 25, 34, and 35.

Allowable Subject Matter

The Examiner has indicated the allowability of claims 41-43 and 50-55. The Examiner has also indicated the allowability of claims 21, 26, 36-40 and 47 if rewritten in independent

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form including all of the limitations of the base claim and any intervening claims. As discussed above, claims 21, 26, 36-40 and 47 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims, as claims 56-59. Thus, claims 56-59 and all claims depending therefrom are allowable.

Conclusion

For the reasons discussed above, all claims remaining in the application are allowable over the prior art. Early notification of allowability is respectfully requested.

Respectfully submitted,
IAN BODDY

Dated: September 29, 2005By: 

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